

In the United States Court of Federal Claims

No. 18-1387T

(Filed: November 20, 2018)

JOHN W. BARRY, *et al.*,

Plaintiffs,

v.

UNITED STATES,

Defendant.

ORDER

Pending before the court is defendant's Motion for a Redacted Version of the Complaint for the Public Record ("Def.'s Mot."), filed October 3, 2018, ECF No. 6. The complaints currently are filed under seal. Three separate complaints are involved, *viz.*, the original complaint filed September 7, 2018, a first amended complaint submitted September 28, 2018, ECF No. 4, and a proffered second amended complaint submitted in conjunction with a motion for leave to file amended complaint on November 16, 2018, ECF No. 9. Defendant asks the court to order plaintiff to file redacted versions of the complaints.

Defendant represents that plaintiffs' non-redacted complaints contain personal information such as social security numbers, tax identification numbers, and financial account information. *See* Def.'s Mot. at 2. Because of these inclusions, defendant argues the plaintiffs' three complaints fail to comply with Rule 5.2(a) of the Rules of the United States Court of Federal Claims ("RCFC"). Rule 5.2(a) requires all "electronic or paper filing[s] with the court that contain[] an individual's social-security number, taxpayer-identification number" to "include only: (1) the last four digits of the social-security number and taxpayer-identification number; (2) the year of the individual's birth; . . . and (4) the last four digits of the financial account number." RCFC 5.2(a)(1)-(4).

The voluminous complaints filed by the plaintiffs in the case cover a wide range of information that falls within RCFC 5.2(a). The complaints set out sensitive personal information such as social-security numbers, birthdays, and financial account numbers. *See, e.g.*, Compl., Ex. A, at 10-11 & at Item E. These should be redacted, and the redacted version shall be filed for public viewing.

As the defendant points out, public access to judicial documents is an important component of a fair and just court system. *See, e.g., Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597, 602 (1978); *Forest Products Northwest, Inc. v. United States*, 62 Fed. Cl. 109, 114 (2004); *Pratt & Whitney Canada, Inc. v. United States*, 14 Cl. Ct. 268, 272 (1988). Sealed proceedings are an anomaly in the court system except for a few well defined exceptions, such as those detailed by RCFC 5.2(b). In this case, submission of redacted versions of the several complaints would comport with RCFC 5.2(b) and serve the public interest.

Thus, for good cause shown, defendant's motion is GRANTED. Plaintiffs are hereby directed to file redacted versions of their complaint, first amended complaint, and second amended complaint that omit all personal information listed in RCFC 5.2(a).

It is so **ORDERED**.

A handwritten signature in black ink, appearing to read 'C. Lettow', written over a horizontal line.

Charles F. Lettow
Senior Judge